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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,147	11/06/2001	Lucky Vasant Shah	397522000800	7526

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EXAMINER

LIM, KRISNA

ART UNIT PAPER NUMBER

2153

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/010,147	Applicant(s) SHAH ET AL.	
	Examiner Krisna Lim	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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1. Claims 1-33 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hunt et al. [U.S. Patent No. 6,253,234].
4. Hunt et al. disclose (e.g., see Figs. 1-4B) the invention substantially as claimed. Taking claim 1 as an exemplary claim, the reference discloses a process for the caching of streamed applications within a computer network accessible by client systems (see col. 2, lines 1-9), comprising the steps for providing:
 - a) an application requesting means (e.g., see col. 1, lines 58-65) on a client for requesting streamed application file pages;
 - b) a caching means on said client for storing received streamed application file pages in a cache (e.g., see col. 2, lines 21-25);

wherein said application requesting means sends a request for a streamed application file page to other clients in said network (e.g., see the abstract, lines 5-6, col. 3, lines 2-3);
 - c) a response means on said client for responding to streamed application file page requests from other clients (e.g., see the abstract, lines 5-6, col. 3, lines 2-3); and

wherein the client request streamed application file pages using a unique set of number common among all servers and clients (e.g., see the use of an URL for identifying a request information (e.g., col. 1, lines 47-65)) that store the particular streamed application file pages.

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5. While Hunt et al. disclose data transfers among various data processing systems, including user units 102-106 and servers 116-118, by a network technology such as Ethernet and token ring, Hunt et al. do not explicitly mention that those data are transferred in packet. It would have been obvious and it is well within to one of ordinary skill in the art to recognize that data are well known transferred in small unit as a packet in the computer network (e.g., see any computer dictionary) because this is how the data are transferred. Moreover, Hunt et al. disclose also the feature of packet communication (e.g., see col. 7, lines 53-55).

6. As to claim 2-3, while Hunt et al. disclose data transfers among various data processing systems, including user units 102-106 and servers 116-118, by a network technology such as Ethernet, token ring and the use of IP address (e.g., see col. 5, lines 51-52), Hunt et al. do not explicitly mention that those data are transferred in multicast packet and clients can join a multicast IP address. It would have been obvious and it is well within to one of ordinary skill in the art to recognize that data are well known transferred in small unit as a packet in the computer network (e.g., see any computer dictionary) because this is how the data are transferred. And, it is well known that Ethernet multicast addressing scheme is used to send packets to devices of a certain type or for broadcasting to all nodes (e.g., see any computer dictionary for this Ethernet multicast addressing).

7. As to claim 4, Hunt et al. disclose at least one proxy server, a proxy caching means and a proxy response means for sending a response to the request client if the request page exists in the proxy server's cache (e.g., col. 5, line 38, to claim 6, line 65).

8. As to claim 5, Hunt et al. disclose the proxy caching means is pre-loaded with a specific set of pages (e.g., col. 5, line 38, to claim 6, line 65).

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9. As to claim 6, Hunt disclose the application requesting means sends requests to other clients and to a proxy server (e.g., see the abstract, lines 5-6, col. 3, lines 2-3, col. 5, line 36, to claim 6, line 65).

10. As to claim 7, Hunt et al. disclose a streamed application server and an application set storage means (data structure) for storing streamed application program set (e.g., col. 5, line 38, to claim 6, line 65).

11. As to claim 8, Hunt et al. disclose the proxy response means forwards the request to the streamed application server if the requested streamed application page does not exist in the proxy server's cache (e.g., see 406a to 410a, col. 7, lines 38-50) and the proxy means stores the streamed application page in the proxy server's cache before sending this page to the request client (e.g., see col. 5, line 38, to col. 6, line 65).

12. As to claim 9, Hunt disclose means for sending the request page to the application server if the requests to other clients and the proxy server fails (e.g., see the abstract, col. 5, line 38, to col. 6, line 65).

12. As to claim 10, Hunt disclose the application requesting means sends requests to other clients, a streamed application server and to a proxy server (e.g., see the abstract, lines 5-6, col. 3, lines 2-3, col. 5, line 36, to claim 6, line 65).

13. As to claim 11, Hunt disclose means for measuring the response time to the client's page, setting a positive weighting (time-value) and waiting a calculated amount of time (time-out) before sending a request page (e.g., see col. 6, line 10-65).

14. Claims 12-33 are similar in scope as of claims 1-11, and therefore claims 12-33 are rejected for the same reasons set forth above for claims 1-11.

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15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

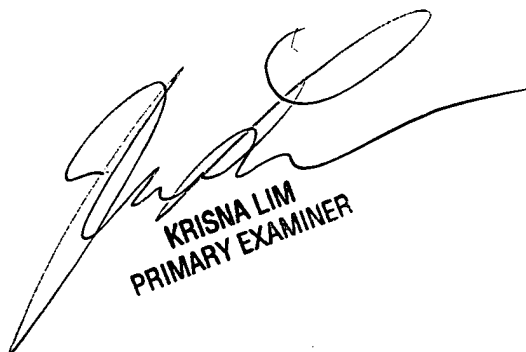
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Monday to Wednesday and Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

January 28, 2005



KRISNA LIM
PRIMARY EXAMINER